



32692

Customer Number

PATENT
Docket No.: 58516US003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARY L. OWENS, TERRANCE L. FOX
and ANGELA M. GINKEL

Serial No.: 10/808,004
Filed: March 24, 2004

For: TREATMENT FOR BASAL
CELL CARCINOMA

Group Art Unit: 1614

Examiner:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

August 18, 2004
Date

Judy L. Hansen
Signature Judy L. Hansen

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,



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Dated: *August 18, 2004*

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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		Doc. Number-(Kind Code if Known)			
	A1	US- 4,689,338	08-25-1987	Gerster	
	A2	US- 4,698,348	10-06-1987	Gerster	
	A3	US- 4,929,624	05-29-1990	Gerster et al.	
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Examiner:*Date Considered:**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO (modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) Page 2 of 5	Application Number	10/808,004
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	A80	US- 2003/0199461 A1	10-23-2003	Averett et al.	
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		Ctry. Code	Number-KindCode (If known)				
	B1	EP	0 394 026	10-24-1990			X
	B2	EP	1 104 764 A1	06-06-2001			X
	B3	JP	9-208584	08-12-1997			

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	B4	JP	11-80156	03-26-1999	(translation only)		X
	B5	JP	11-222432	08-17-1999			X
	B6	JP	2000-247884 (abstract only)	09-12-2000			X
	B7	WO	00/47719 A2	08-17-2000			X
	B8	WO	00/75304 A1	12-14-2000			X
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	B24	WO	03/043572 A2	05-30-2003			X
	B25	WO	03/045391 A1	06-05-2003			X
	B26	WO	03/103584 A2	12-18-2003			X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Testerman, et al., "Cytokine Induction by the Immunomodulators Imiquimod and S-27609", <u>Journal of Leukocyte Biology</u> , Volume 58, pp. 365-372, September 1995.
	C2	Chollet, et al, "Development of a Topically Active Imiquimod Formulation", <u>Pharmaceutical Development and Technology</u> , 4(1), pp 35-43 (1999)
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	C3	Brassard et al.; "Interferon- α as an immunotherapeutic protein"; Journal of Leukocyte Biology; Vol. 71; April 2002; pgs. 565-581
	C4	Izumi et al.; "1H-imidazo[4,5-c]quinoline Derivatives as Novel Potent TNF- α Suppressors: Synthesis and Structure-Activity Relationship of 1-, 2-and 4-Substituted 1H-imidazo[4,5-c]quinolines or 1H-imidazo[4,5-c]pyridines"; Bioorganic and Medicinal Chemistry, Vol. 11, pp. 2541-2550 (2003).
	C5	Beutner et al.; "Therapeutic response to basal cell carcinoma to the immune response modifier imiquimod 5% cream"; J. Am. Acad Dermatol; Vol. 41, No. 6, December 1999; pp. 1002-1007
	C6	Geisse et al.; "Imiquimod 5% cream for the treatment of superficial basal cell carcinoma: A double-blind, randomized, vehicle-controlled study"; J. Am. Acad. Dermatol; Vol. 47, No. 3, September 2002; pps. 390-398
	C7	Marks et al.; "Imiquimod 5% cream in the treatment of superficial basal cell carcinoma: Results of a multicenter 6-week dose-response trial"; J. Am. Acad. Dermatol; Vol. 44; No. 5; May 2001; pps. 807-813
	C8	Shumach et al; "Efficacy of Topical 5% Imiquimod Cream for the Treatment of Nodular Basal Cell Carcinoma - Comparison of Dosing Regimens"; Arch Dermatol; Vol. 138; September 2002; pps. 1165-1171
	C9	Sterry et al.; "Imiquimod 5% cream for the treatment of superficial and nodular basal cell carcinoma: randomized studies comparing low-frequency dosing with and without occlusion"; British Journal of Dermatology; 2002; 147; pps. 1227-1236

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